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11. The following is Embassy Hanoi's submission for the narcotics section of the 2007-2008 INCSR.

12. Begin INCSR text:

Vietnam

#### 1I. Summary

The Government of Vietnam (GVN) continued to make progress in its counternarcotics efforts during 2007. Specific actions included: sustained efforts of counternarcotics law enforcement authorities to pursue drug traffickers; increased attention to interagency coordination; continued cooperation with the United Nations Office on Drugs and Crime (UNODC); increased attention to both drug treatment and harm reduction; continued public awareness activities; and, additional bilateral cooperation on HIV/AIDS. The United States and Vietnam continued to implement training and assistance projects under the counternarcotics Letter of Agreement (LOA). Operational cooperation with the U.S. Drug Enforcement Administration's (DEA) Hanoi Country Office (HCO) continued to lag behind expectations. In November 2006, DEA and the GVN's Ministry of Public Security (MPS) concluded a memorandum of understanding intended to facilitate operational cooperation between the two agencies on transnational counternarcotics matters. In 2005, Vietnam was removed from the list of major drug-producing countries because actual drug cultivation clearly fell below the 1,000-hectare threshold for Majors. Vietnam is a party to the 1988 UN Drug Convention.

#### II. Status of Country

This year, the GVN claims that there were only about 37.5 ha of opium and 0.4 ha of cannabis under cultivation nationwide, all of which were eradicated. Official UNODC statistical tables no longer list Vietnam separately in drug production analyses. Cultivation in Vietnam probably accounts for only about one percent of the total cultivation in Southeast Asia, according to law enforcement estimates. DEA has no evidence of any Vietnamese-produced narcotics reaching the United States. There appear to be small amounts of cannabis grown in remote regions of southern Vietnam.

In the past, Vietnam has not been confirmed as a source or transit country for precursors. However, one precursor of concern to DEA that has historically been produced in large quantities in Vietnam is sassafras oil. This precursor to MDMA production is no longer produced in Vietnam, but it continues to be imported into Vietnam for re-export to third countries. The potential for diversion of sassafras oil into clandestine MDMA production remains an area of concern for DEA.

In 2007, the GVN continued to view the Golden Triangle as the source for most of the heroin supplied to Vietnam.

GVN authorities are particularly concerned about rising ATS use among urban youth. During 2007, the GVN increased the pace of

enforcement and awareness programs that they hope will avoid a youth synthetic drug epidemic. Resource constraints in all aspects of narcotics programs are pervasive, and GVN counternarcotics officials note that, as a developing country, Vietnam will face such resource constraints for the foreseeable future. Officials also noted, however, significant annual budget increases for counternarcotics efforts. Drug laws remain very tough in Vietnam. For possession or trafficking of 600 grams (something more than one pound) or more of heroin, or 20 kg (44 pounds) of opium gum or cannabis resin, the death penalty is mandatory. Foreign law enforcement sources do not believe that major trafficking groups have moved into Vietnam. Relatively small groups comprised of from five to 15 individuals (who are often related to each other) usually do most narcotics trafficking.

### III. Country Actions Against Drugs in 2007

**Policy Initiatives.** The structure of the GVN's counternarcotics efforts is built around the National Committee on AIDS, Drugs and Prostitution Control (NCADP), which includes 18 GVN ministries and people's organizations as members. In addition, MPS, as NCADP's standing member, has a specialized unit to combat and suppress drug crimes. During 2007, many provinces and cities implemented their own drug awareness and prevention programs, as well as demand reduction and drug treatment. The GVN continues to view drug awareness and prevention as vital tools and significant objectives in its fight against drugs, as well as integral parts of its effort to comply fully with the 1988 UN Drug Convention. The GVN has continued to rely heavily on counternarcotics propaganda, culminating in the annual drug awareness month in June 2007. Officially sponsored activities cover every aspect of society, from schools to unions to civic organizations and government offices. In 2007, the GVN extended its ongoing effort to de-stigmatize drug addicts in order to increase their odds of successful treatment, and to help control

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the spread of HIV/AIDS.

**Law Enforcement Efforts.** According to GVN statistics, during the first nine months of 2007, there were 7,185 drug cases involving 9,343 traffickers. Total seizures include 123 kg of heroin, 53 kg of opium, 224 kg of cannabis, 24,300 ATS tablets, and 10,050 other tablets and ampoules of addictive pharmaceuticals. The numbers of cases and traffickers during the first six months of 2007 represent decreases of 22.09 and 34.5 percent, respectively, compared with the same period of 2005. Officials attributed the lower figures to increased admissions of addicts in drug treatment centers, greater effectiveness of counternarcotics forces on the borders and success at raising public awareness. During the first nine months of 2007, courts throughout the country tried 8,357 traffickers in 6,274 cases.

Foreign law enforcement representatives in Vietnam acknowledge that real operational cooperation on counternarcotics cases is minimal due to legal prohibitions and policy restrictions that preclude Vietnam's drug enforcement authorities from sharing information and supporting bilateral investigations with foreign police agencies. Without changes in Vietnamese law to allow the establishment of a legal and procedural basis for Vietnam's cooperation with foreign law enforcement agencies, operational "cooperation" will remain limited and largely determined on a case-by-case basis. USG law enforcement agencies hold out some hope that the development of agency-to-agency agreements will slightly improve the cooperation climate. During 2007, cooperation levels between GVN law enforcement authorities and DEA's HCO continued to gradually improve, although DEA agents have not been officially permitted to work directly with GVN counternarcotics investigators. Cooperation was limited to receiving information and investigative requests from DEA, holding meetings and providing somewhat limited responses to DEA's requests. Thus far, counternarcotics police have declined to share detailed investigative information with DEA or cooperate operationally. During 2006 and 2007, DEA did receive operational cooperation on one money laundering investigation in which MPS assisted in the receipt of alleged drug money that was remitted to Vietnam through a money laundering organization in the United States. However, despite requests made by DEA, MPS provided no investigation information on

the organizations or businesses that facilitated the illegal money remittance in Vietnam.

**Corruption.** As a matter of GVN policy, Vietnam does not encourage or facilitate illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions. No information specifically links any senior GVN official with engaging in, encouraging or facilitating the illicit production or distribution of drugs or substances, or the laundering of proceeds from illegal drug transactions. Nonetheless, a certain level of corruption, both among lower-level enforcement personnel and higher-level officials, is consonant with fairly large-scale movement of narcotics into and out of Vietnam. The GVN did demonstrate willingness in 2007 to prosecute officials, although the targets were relatively low-level. In September, two prosecutors of the Thai Nguyen Provincial Supreme People's Procuracy were arrested for alleged bribe taking in a drug case. Earlier, two Thai Nguyen drug police officers were also arrested on the same charge in the case. Vietnam has signed, but not yet ratified, the UN Convention Against Corruption.

**Agreements/Treaties.** Vietnam is a party to the 1988 UN Drug Convention, the 1961 UN Single Convention as amended by the 1972 Protocol and the 1971 UN Convention on Psychotropic Substances. Vietnam has signed, but has not yet ratified, the UN Corruption Convention and the UN Convention against Transnational Organized Crime.

**Cultivation/Production.** Despite eradication efforts, the GVN reported 37.5 ha of opium re-planted nationwide. The total poppy cultivation in 2007 showed a significant decrease compared to the previous year. The total number of hectares under opium poppy cultivation remains sharply reduced from an estimated 12,900 ha in 1993, when the GVN began opium poppy eradication. There have been recent confirmed reports that ATS and heroin have been produced in Vietnam. Local ATS production relies on ATS powder brought from outside the country, which is then processed into pills. GVN law enforcement forces have seized some ATS-related equipment (i.e., pill presses). In January, Vietnam's first-ever prosecution for heroin production, involving 44 kg produced in 2001 and 2003, concluded with the court handing down eight death sentences and thirteen life imprisonments. Officials described the method of production used by the perpetrators as "simple and manual," and "not at a level sufficient to produce saleable heroin." As part of its efforts to comply fully with the 1988 UN Drug Convention, the GVN continued in 2007 to eradicate poppies when found and to implement crop substitution.

**Drug Flow/Transit.** While law enforcement sources and the UNODC believe that significant amounts of drugs are transiting Vietnam, DEA has not yet identified a case of heroin entering the United

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States directly from Vietnam. More commonly, drugs, especially heroin and opium, enter Vietnam from the Golden Triangle via Laos and Cambodia by land, sea and air, making their way to Hanoi or Ho Chi Minh City, either for local consumption or transshipment to other countries such as Australia, Japan, China, Taiwan and Malaysia. The ATS flow into the country during 2007 continued to be serious and not limited to border areas. ATS can now be found throughout the country, especially in places frequented by young people. ATS such as amphetamine, diazepam, Ecstasy, ketamine and especially "ice" methamphetamine (crystal methamphetamine) continue to worry the government. Such drugs are most popular in Hanoi, Ho Chi Minh City and other major cities. During 2007, numerous cases involving ATS trafficking and consumption were reported in the media, including mass arrests following raids on popular nightclubs.

**Domestic Programs/Demand Reduction.** According to the SODC (Standing Office for Drug Control), by the end of June, there were 166,291 officially registered drug users nationwide. Included in that figure are 88,315 addicts living in the community, and 45,263 and 32,713 other addicts living, respectively, in MPS (Ministry of Public Security) prisons and MOLISA (Ministry of Labor, War Invalids and Social Affairs) treatment centers. Vietnam has 87

provincial-level treatment centers providing treatment to about 58,000 drug addicts annually, a six-fold increase compared with 2001. The number of "unofficial" (i.e., not acknowledged officially) drug users is at least 1.5 times higher. During the first six months of 2007, 45,572 drug users received treatment, including 8,303 new recipients. This year, the SODC reported that heroin accounts for 84.72 percent of drug use, while ATS use saw a significant increase, especially among the youth.

Ministries distributed hundreds of thousands of antidrug leaflets and videos, and organized antidrug painting contests for children. The Ministry of Education and Training (MOET) carries out awareness activities in schools. Counternarcotics material is available in all schools and MOET sponsors various workshops and campaigns at all school levels. The UNODC assesses GVN drug awareness efforts favorably, but considers these efforts to have had minimal impact on the existing addict and HIV/AIDS population. Vietnam strives to integrate addiction treatment and vocational training to facilitate the rehabilitation of drug addicts. These efforts include tax and other economic incentives for businesses that hire recovered addicts. Despite these efforts, only a small percentage of recovered addicts find regular employment.

HIV/AIDS is a serious and growing problem in Vietnam. The epidemic is closely related to intravenous drug use and commercial sex work. At least 53 percent of known HIV cases are IDUs. A 2006 national sentinel surveillance indicated a 23 percent HIV prevalence among IDUs. However, in some provinces, the HIV prevalence is reported at as high as 45 percent among IDUs. The Vietnamese National Strategy for HIV Prevention and Control, launched in March 2004, presents a comprehensive response to the HIV, including condom promotion, clean needle and syringe programs, voluntary counseling and testing and HIV/AIDS treatment and care. The GVN reported a total of 126,543 HIV cases in the country. Out of that number, 24,788 are AIDS patients. The actual figure is believed to be three times higher. In June 2004, Vietnam was designated the 15th focus country under the President's Emergency Plan for AIDS Relief (PEPFAR). USG FY07 funding, about \$65.8 million, is distributed through key PEPFAR agencies such as USAID, HHS/CDC, and the U.S. Department of Defense. Through PEPFAR, the USG supports the Vietnam National HIV/AIDS Strategy of Prevention, Care and Treatment for People Living with HIV/AIDS (PLWHA). The majority of USG support targets seven current focus provinces (Hanoi, Hai Phong, Quang Ninh, Ho Chi Minh City, Can Tho, An Giang and Nghe An) where the epidemic is most severe; however, PEPFAR also supports HIV counseling and testing and community outreach for drug users and sex workers in 30 provinces. From 2005 through 2007, USG-supported programs have trained nearly 43 substance abuse counselors/case managers who work in Hai Phong and Ho Chi Minh City (HCMC). In cooperation with the HCMC, the PEPFAR team is piloting a comprehensive program to assist former rehabilitation center residents prevent relapse, stabilize their lives and access appropriate care for HIV disease. As this program shows success, it will be expanded to assist drug users in provinces beyond HCMC.

#### IV. U.S. Policy Initiatives and Programs

Policy Initiatives. Under the Vietnam-U.S. Counternarcotics Assistance LOA, U.S. Customs and Border Protection delivered contraband enforcement training to GVN customs, border guards, and maritime administration officials. This training included three field visits for GVN officials to U.S. ports to observe best practices and three in-country training courses held in major port cities. Also under the LOA, DEA International Training Units conducted an Airport Interdiction and Seizure Seminar in September. During July and August, DEA and JIATF-W sponsored two-week Officer Tactics and Safety training seminars for MPS and Border Army officials in Hanoi and HCMC. Between January and September 2007,

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using State Department law enforcement assistance, 44 Vietnamese law enforcement officers attended the International Law Enforcement Academy (ILEA) in Bangkok. The USG also contributed to counternarcotics efforts through the UNODC.

The Road Ahead. The GVN is acutely aware of the threat of drugs and

Vietnam's increasing domestic drug problem. However, there is continued suspicion of foreign law enforcement assistance and/or intervention, especially from the United States, in the counternarcotics arena. During 2007, as in previous years, the GVN made progress with ongoing and new initiatives aimed at the law enforcement and social problems that stem from the illegal drug trade. Notwithstanding a lack of meaningful operational cooperation with DEA, the GVN continued to show a willingness to take unilateral action against drugs and drug trafficking. Vietnam still faces many internal problems that make fighting drugs a challenge. USG-GVN operational cooperation remains very limited pending the development of a legal framework in Vietnam to allow foreign law enforcement officers to participate in some manner in law enforcement investigations on Vietnamese soil, or the signing of a bilateral agreement between the United States and Vietnam that would create a mechanism for the joint investigation and development of drug cases. The November 2006 Memorandum of Understanding between DEA and the GVN's Ministry of Public Security (MPS) is a first step in this direction, but is non-binding in character and directly addresses law enforcement cooperation only at the central government agency level, rather than the operational or investigative level.

End text.

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